



Practitioner's Docket No. 18638-0172-01

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Brown

Application No.: 10 / 763 826 Group No.:

Filed: Jan. 23, 2004 Examiner:

Title: Combination of Financial Instruments  
and Method For Implementing Investment  
Strategy

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST AND FEE TO DELETE AND/OR  
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED  
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION  
(37 C.F.R. § 1.48(a))**

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in a nonprovisional application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the inventorship of the nonprovisional application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f)(1): "Nonprovisional application-filing executed oath/declaration corrects inventorship. If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63 by any of the inventors, the first submission of an executed oath or declaration under § 1.63 by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship. See §§ 1.41(a)(4) and 1.497(d) for submission of an executed oath or declaration to enter the national stage under 35 U.S.C. 371 and § 1.494 or § 1.495 naming an inventive entity different from the inventive entity set forth in the international stage."

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: Sept 13, 2006

Signature

Allison Weisberg

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on July 28, (date).  
2004
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

- Add the following previously unnamed person(s) as inventor(s) of this application:

SPYROS N. PAPADAKIS

124 HUDSON ST. # 5B

NY, NY 10013

- Delete the following previously incorrectly named inventor(s)

### 3. Attachments

Attached is

- (a) A statement from: (check items below that apply)

each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

- (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(3).

- (c) written assent of the assignee (if any of the original inventors executed an assignment) 37 C.F.R. 1.48(a)(5)

- (d) (check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)

Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

### 4. Fee Payment (37 C.F.R. § 1.17(l)—\$130.00)

The fee required is paid as follows:

Attached is a  check  money order in the amount of \$ all fees due

Authorization is hereby made to charge the amount of \$  

to Deposit Account No. 500310

to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

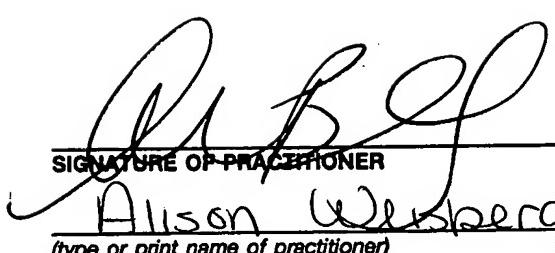


Reg. No.: 45206

Tel. No.: (215) 963 5091

Customer No.:

(Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in—  
Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 3 of 3)

  
SIGNATURE OF PRACTITIONER

Alison Weisberg  
(type or print name of practitioner)

P.O. Address  
1701 Market Street

PHILADELPHIA PA 19103



PATENT  
ATTORNEY DOCKET NO.: 18638-04-0172-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Brown et al.  
Application No.: 10/763,826  
Filed: January 23, 2004  
For: Combination of Financial Instruments  
and Method for Implementing Investment  
Strategy

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT BY SPYROS PAPADAKIS IN SUPPORT OF  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

I, Spyros Papadakis, was erroneously left off the above-identified application as an inventor. This error was made without any deceptive intention on my part. I am in fact an inventor of the invention claimed in the above-identified application.

IN TESTIMONY HEREOF, I have hereunto set my hand.

Spyros Papadakis

Name of Inventor

124 Hudson Street, #5B  
NY, NY 10013

**Address of Inventor**

  
Signature of Inventor

9/5/06 Date



Attorney Docket No. 018638-0172-01

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to our name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Combination Of Financial Instruments And Method For Implementing Investment Strategy, the specification of which:

is attached hereto.

  x   was filed on January 23, 2004 as Application Serial No 10/763,826  
and was amended on \_\_\_\_\_ (if applicable).

PCT Application Entering National Phase

\_\_\_\_\_ was filed on \_\_\_\_\_ as PCT International Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

10/831,934      April 24, 2004      pending  
(Application Serial No.)      (Filing Date)      (Status - patented, pending, abandoned)

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Daniel H. Golub  
Reg. No. 33,701

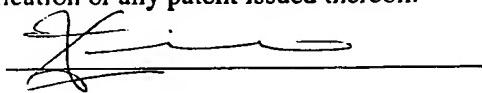
Alison B. Weisberg  
Reg. No. 45,206

Address all telephone calls to Alison B. Weisberg at telephone number 215.963.5091.

Address all correspondence to Daniel H. Golub  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature



Date 9/5/06

Full Name of sole or first inventor  
Residence:

Spyros N. Papadakis  
124 Hudson Street, #5B

Post Office Address:  
Citizenship:

New York, NY 10013  
USA

Inventor's Signature



Date 9/12/06

Full Name of second inventor  
Residence:

Nicholas R. Brown  
455 East 86th Street, Apt. 38C

Post Office Address:  
Citizenship:

NY, NY 10028  
USA



Practitioner's Docket No. 18638-0172-01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brown

Application No.: 10 1763826 Group No.: 3624  
Filed: 01/23/2004 Examiner: Unassigned  
For: Combination of Financial Instruments

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)

Lehman Brothers Holdings, Inc.

(type or print name of assignee)  
745 Seventh Ave

Address

NY, NY 10019

Assignment

recorded on 4/26/04  
Reel 015205  
Frame 0447

recorded herewith

A separate  "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

herewith.

on \_\_\_\_\_

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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Date: Sept 13, 2006

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.

Signature

(type or print name of person certifying)

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 1 of 2)

Express Mail Post office  
to Addressee  
EV 55430 3309 US

**ASSIGNEE STATEMENT**

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

Martha E Solinger 9/12/06

Signature

Martha Solinger, VP

(type or print name and title of person authorized to sign  
on behalf of assignee)

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)



PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Lehman Brothers Holdings, Inc.Application No./Patent No./Control No.: 10/763826 (Filed) Issue Date: 01/23/2004Entitled: Combination of Financial Instrument and Method for Implementing Investment Strategy\_\_\_\_\_, a \_\_\_\_\_  
(Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015265, Frame 0447, or a true copy of the original assignment is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Martha E. Solinger

Signature

Martha Solinger

Printed or Typed Name

VP

Title

9/12/06

Date

212-526-7000

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.